



COUNTY OF PLACER
Community Development/Resource Agency

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PLANNING

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HEARING DATE: July 11, 2013
ITEM: 2
TIME: 10:20 AM

TO: Placer County Planning Commission
FROM: Development Review Committee
SUBJECT: VESTING TENTATIVE SUBDIVISION MAP/CONDITIONAL USE PERMIT
MODIFICATION/ EXTENSION OF TIME (PSM20120079)
NORTHSTAR HIGHLANDS II
INITIAL STUDY TO A PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT
REPORT

GENERAL PLAN: Martis Valley Community Plan

GENERAL PLAN DESIGNATION: Tourist Resort Commercial, Medium Density Residential and Forestry

ZONING: FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RM-B-X-DS 20 ac.min. PD = 5.8 (Residential Multi-Family, combining minimum Building Site of 20 acres, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), RM-DS PD = 15 (Residential Multi-Family, combining Design Sierra, combining Planned Residential Development of 15 units per acre), RS-B-X-20 ac.min. PD = 0.72 (Residential Single-Family, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.72 units per acre), FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RES-DS-PD = 5.8, (Resort, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), TPZ (Timberland Production)

ASSESSOR'S PARCEL NUMBERS: 110-030-079, 110-030-080, 110-050-071, 110-050-072, 110-081-014 and 114-090-001 through 114-090-019

STAFF PLANNER: Gerry Haas, Senior Planner

LOCATION: The project site is located on the west side of State Route 267, at Northstar California in the Martis Valley area.

APPLICANT: Hayes Parzybok, East West Partners

PROPOSAL:

The applicant requests approval of a modification to a Vesting Tentative Subdivision Map and Conditional Use Permit to allow 16 large lots/phases where 17 large lots/phases were previously approved. The revised project includes the development of 446 residential units where 576 units were previously approved (count does not include the 32 employee housing units for which no

change is proposed). The residential units consist of a combination of whole and fractional ownership including 50 townhomes (where 22 townhomes were originally approved), 10 new single-family lots, and 386 condominiums (where 554 were originally approved). The revised project also includes up to 147 non-residential and commercial condominiums (where 200 were originally approved), 4,000 square feet of commercial space (no change from original approval) and 32 employee housing units (no change).

The applicant also requests approval of an Extension of Time to add two additional years to the approved expiration date of the Vesting Tentative Subdivision Map.

CEQA COMPLIANCE: An Initial Study was prepared for this project. The Initial Study relies upon the certified Environmental Impact Report (EIR) prepared for the Northstar Highlands Master Plan (SCH No. 2003012086). The Highlands EIR was prepared as a Project-Level EIR for the first phase of development and a Program EIR which addressed all future phases of the project (including this proposed phase). The Environmental Review Committee (ERC) has determined that, based on the June 20, 2013 Initial Study (Attachment C), all environmental impacts associated with the modification of the Northstar Highlands Phase II project were adequately addressed in the certified EIR for the Northstar Highlands Master Plan, and implementation of the applicable mitigation measures identified in the certified EIR will reduce all identified impacts to less than significant levels.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sierra Sun* newspaper. Community Development Resource Agency staff, the Department of Environmental Health and the Air Pollution Control District were transmitted copies of the project plans and application for review and comment. All County comments have been addressed and conditions have been incorporated into the staff report. Other appropriate public interest groups and citizens, including representatives of the Northstar Property Owners Association, were sent copies of the Public Hearing Notice. No comments have been received as of the time of preparation of this report.

SITE CHARACTERISTICS:

The project site includes six separate parcels totaling 352 acres in size, although only 49.7 acres are proposed for development. The portions of the site proposed for development are primarily undeveloped with the exception of roadways, ski runs, lifts and associated skier service and maintenance facilities. The surrounding area is mountainous, forested and sporadically developed with accessory facilities for the greater Northstar resort area.

EXISTING LAND USE AND ZONING:

Location	Zoning	General Plan/Community Plan	Existing Conditions & Improvements
Site	FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RM-B-X-DS 20 ac.min. PD = 5.8 (Residential Multi-Family, combining minimum Building Site of 20 acres, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), RM-DS PD = 15 (Residential Multi-Family, combining Design Sierra, combining Planned Residential Development of 15 units per	Tourist Resort Commercial, Medium Density Residential and Forestry	Ski Hill and Highlands Phase I (under construction)

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	acre), RS-B-X-20 ac.min. PD = 0.72 (Residential Single-Family, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.72 units per acre), FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RES-DS-PD = 5.8, (Resort, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), TPZ (Timberland Production)		
North	RS-PD=1 (Residential Single-Family combining Planned Residential Development of one residential unit per acre), and FOR (Forestry)	Low Density Residential and Forestry	Big Springs subdivision and Highlands future phase
South	FOR (Forestry)	Forestry	Ski hill and forestry
East	FOR (Forestry)	Forestry	Ski hill and forestry
West	FOR (Forestry)	Forestry	Ski hill and forestry

PROJECT DESCRIPTION:

The applicant proposes a Modification of a previously approved Vesting Tentative Subdivision Map and Conditional Use Permit (PSUB20060609 – Northstar Highlands II) to allow for a reduced density residential development adjacent to the Village at Northstar along its north side. The proposed revision would result in the development of 16 large lot/phases where 17 large lot/phases were previously approved by the Planning Commission. In addition to a reduction in the number of large lots, the project includes the development of 446 residential units where 576 units were previously approved. The residential units consist of a combination of whole and fractional ownership; 50 townhomes (where 22 were originally approved), 10 single-family lots (new proposal), and 386 condominiums (where 554 were originally approved). A final residential component, a 32-unit employee housing facility (no change from original approval), remains in the revised project description.

In addition to the residential uses, several commercial and recreational components of the project are also proposed, including up to 147 non-residential and commercial condominiums (where 200 were originally approved), 15,000 square-feet of common homeowners facilities, three tennis courts, new/relocated ski trails and approximately 4,000 square-feet of commercial retail space (no change from the original approval for all of these components).

The applicant also requests approval of an Extension of Time for the Vesting Tentative Subdivision Map to add two years to the original expiration date.

BACKGROUND:

Northstar

In 1971, the Planning Commission approved a Master Plan for Northstar-at-Tahoe, which allowed for a variety of residential, commercial and public facility improvements within the boundaries of the Northstar-at-Tahoe resort development. The land uses established in the 1971 Master Plan were reflected in the 1975 Martis Valley General Plan and updated in the 2003 Martis Valley Community Plan.

The current Martis Valley Community Plan recognizes and plans for the ongoing development of the Northstar-at-Tahoe community as a major ski resort with related year-round and seasonal residential development. The Northstar-at-Tahoe community is approximately 8,000 acres in size. The total amount of residential development that can be accommodated at Northstar-at-Tahoe is 3,300 units, exclusive of employee housing. The Highlands project occupies the mid-mountain area and is planned to accommodate transient lodging and multiple-family residential ownership opportunities.

Northstar Highlands

In 2005, the Planning Commission approved a revised and updated Master Conditional Use Permit and certified a programmatic and project level Environmental Impact Report for the Northstar property to guide future expansion of the resort and its surrounding property. The project level analysis allowed for immediate development of the Highlands portion of Northstar. This area included 324 acres of guest lodging, residential land use, skier service areas and recreation land uses. The EIR also included a programmatic analysis of future phases of the development, including areas surrounding the original Highlands development.

One of the phases of the Highlands project, Northstar Highlands II, was proposed for development in 2008. At that time, it included 576 residential units, 4,000 square-feet of commercial/skier service, 15,000 square-feet of common homeowner's facilities, construction of tennis courts and new and relocated ski trails. Also proposed with Northstar Highlands II project was a 1,000 square-foot chapel, 32 employee housing units, construction of an 18,000 square-foot mountain maintenance facility, new parking areas and a rezone from TPZ to Forestry and Residential Multi-Family affecting a 4.4 acre area.

Highlands Phase II

In February 2009, the Placer County Board of Supervisors approved a Tentative Subdivision Map, a Conditional Use Permit and a Rezone for the Northstar Highlands II project, clearing the way for all of the above-mentioned improvements. For this approval, an Initial Study was prepared. The Initial Study found that the programmatic EIR sufficiently analyzed potential environmental impacts that could result from the Phase II proposal. In addition, the Initial Study found that, with implementation of mitigation measures contained in the previous EIR, all potential environmental impacts would be reduced to a less than significant level. A Mitigation Monitoring and Reporting Plan was adopted by the Board of Supervisors, which listed all mitigation measures carried forward from the EIR into the Initial Study.

Following approval of the Northstar Highlands II project, one Final Map (Lot 10B) has been recorded and development of 16 townhomes is underway. However, no other project components have progressed. In the last few years the applicant has discovered that the original Phase II vision, which was heavily focused on condominium development, no longer represents the most current real estate trends and demands. Additionally, construction financing for condominiums is more difficult to secure than similar financing for townhomes and single-family residences. Based on these market realities, the project was revised to develop more townhomes and introduce stand-alone single-family residences to replace many of the approved condominium units.

The original Highlands II subdivision (PSUB 20060609) was approved for the development of 17 "large" lots, most of which were approved to be further subdivided into condominium or townhome lots with their own common and open space lots. As a result, the currently approved project allows for up to 51 individual "small" lots within the 17 "large" lots. Although the proposed modification includes a reduction in the total number of "large" lots from 17 to 16, the resultant "small" lot number would increase to 81 due to the shift from individual condominium units, which are not considered parcels within a Tentative Subdivision Map, to townhome and single-family residential units, which each require their own parcel.

Because the applicant may or may not be the ultimate developer of all of the lots in the subdivision, and because the applicant has requested the ability to prepare a Large Lot Final Map for any or all phases of Highlands II that could be recorded only for the purposes of conveyance to the ultimate developer, staff has prepared seven new conditions of approval to ensure that recordation of such maps will be consistent with the Subdivision Map Act and County requirements for certain parcel specific improvements.

On March 29, 2012, the applicant submitted an Environmental Questionnaire for a revision of the approved project to the County's Environmental Coordination Services. Upon completion of a period of comment and review, County staff prepared a new Initial Study and a revised Mitigation Monitoring and Reporting Program (MMRP) (Attachment C), in June 2013.

The revised project (Northstar Highlands II Modification) was presented to the North Tahoe Regional Advisory Council on June 14, 2012 as an Action Item. The NTRAC voted 6-0 (Kojane/Siig motion, Vaca, Hymanson, Kupec, McConnell aye) to recommend approval of the project to the Planning Commission.

DISCUSSION OF ISSUES:

Zoning/Community Plan Consistency

The original Highlands II project, approved by the Planning Commission on January 8, 2009, was analyzed for its consistency with the Martis Valley Community Plan (MVCP) and the Placer County Zoning Ordinance. It was determined at the time (through the preparation of an Initial Study) that the project would be consistent with all applicable goals and policies of the MVCP and provisions of the Zoning Ordinance with respect to the various land use designations and zone districts within the Highlands II development area.

With this proposed Modification, the number of residential units would decrease, such that the project area (though not necessarily the overall Highlands development) would experience residential and commercial development at a reduced density when compared to the approved project. The only new use being proposed with this Modification is the ten single-family residences within Lot 10G. However, single-family residences are truly no different than townhomes or residential condominiums in terms of their consistency with underlying zoning or land use designations. As a result, staff has determined that the proposed Modification, like the original approved CUP and Tentative Subdivision Map, is consistent with MVCP and the Placer County Zoning Ordinance.

Extension of Time

The original Highlands II project was approved by the Planning Commission on January 8, 2009. The Conditional Use Permit for the Planned Residential Development was approved with a nine-year expiration dated, from the time of initial construction. However, the Tentative Subdivision Map was subject to the maximum three years expiration date. Because the associated rezone was adopted by the Board of Supervisors on February 10, 2009, the original expiration date of the Tentative Subdivision Map was February 10, 2012. The project benefitted from a state-approved automatic extension of time for tentative maps (AB208). Therefore, the expiration date for the Highlands II Tentative Subdivision Map is now February 10, 2014.

As a result of the housing market crash of 2008, the applicant has been unable to complete the Final Maps for all but one phase of development within Highlands II. This is because, as explained above, the applicant has shifted the proposed development pattern to include more townhomes and single-family residences in response to changing market demands. The necessary revisions to the Tentative Map required additional review and analysis and it is now unlikely that the Final Map(s) can be recorded prior to the expiration date.

In reviewing the Extension of Time request, staff notes that the current Tentative Subdivision Map is still valid by virtue of state-approved extensions of time, and that the applicant has been diligent in pursuing implementation of the permit, but requires additional time to respond to changes in the housing market.

Unchanged elements

While the project includes shifts in density and lot numbers, certain elements of the modification remain unchanged, to be implemented as originally approved. These elements are carried over as this Conditional Use Permit Modification will still need to include all aspects of the overall project. Because these elements have already been approved, staff provides no further discussion of them.

Unchanged elements include:

- 32 employee housing units
- New and relocated ski trails
- Three tennis courts
- 16 townhomes (Home Run Townhomes, already under construction/completed) on Lot 10B
- 4,000 square feet of commercial/skier service area
- 15,000 square feet of common homeowners recreation facilities
- Rezone of a 4.4 acre portion of the site from TPZ to Residential Multi-Family. Because the Board of Supervisors has already adopted an Ordinance approving the requested rezone, and County records have been updated to reflect the change.

Project Comparison

As mentioned above, the proposed Highlands Phase II Modification would result in a revised overall site plan that would reduce the residential density of the project. While there are no changes to the project components listed above, residential building configurations and locations would be shifted amongst the previously considered large lots/phases. There are four primary changes to the Tentative Map; 1) Lot 10E would be slightly larger than approved, 2) Lot 8B would be slightly larger than approved (and would include recreational facilities, including an indoor gym, game room and outdoor pool, as opposed to the previously approved residential condominiums), 3) Lot 10G is now proposed to include up to ten single-family residences within Phase II, where it was not proposed or considered in the past and 4) Lot 10A is larger and has been broken up into two lots (10A-I and 10A-II), which are now proposed for townhomes as well as the previously approved condominium units.

The expansion of land area for Lots 10A, 10E and 8B, as well as the new proposal for the development of Lot 10G are the only project components that include new land use areas not previously considered with the original Highlands Phase II proposal. However, the area that would be converted was analyzed as part of the Northstar Highlands EIR. The areas have since been analyzed for consistency with the EIR Master Plan and, if approved, this proposed modification would not increase the overall density above what is already approved for this phase of the development.

The following chart illustrates the shift in the development proposal for Highlands Phase II from predominately condominiums to a mix of condominiums, townhomes and some single-family residences.

	Entitled ¹				Proposed Revised				
	Residential Units	Commercial Units	Acreage ²	Use Type	Residential Units	Commercial Units	Acreage	Lots	Use Type
Lot 2B	67	30	1.91	Condos	67	30	1.91	1	Condos
Lot 2C	111	30	4.60	Condos	111	30	4.60	1	Condos
Lot 2 Total	178	60	6.50		178	60	6.50	2	
Lot 4	32	15	3.34	Condos	32	15	3.01	1	Condos
Lot 4 Total	32	15	3.34		32	15	3.01	1	
Lot 8A	36	10	2.24	Condos	32	15	2.02	2	Condos
Lot 8B	24	10	1.22	Condos	-	-	0.96	1	Amenity Building
Lot 8 Total	60	20	3.46		32	15	2.98	3	
Lot 9A	24	10	1.32	Condos	6	-	1.67	7	Townhomes
Lot 9B	43	15	1.93	Condos	-	-	-	-	Amenity Building
Lot 9C	43	15	6.27	Condos	10	-	4.94	12	Townhomes
Lot 9D	43	15	2.42	Condos	36	10	2.17	2	Condos
Lot 9E	43	15	3.73	Condos	6	-	2.74	7	Townhomes
Lot 9F	-	-	0.90	Chapel	36	15	2.16	1	Condos
Lot 9 Total	196	70	16.57		94	25	13.69	29	
Lot 10A-I	6	-	2.56	Townhomes	36	15	1.79	1	Condos
Lot 10A-II	-	-	-		4	-	0.93	2	Townhomes
Lot 10B - HR Townhomes	16	-	4.28	Townhomes	16	-	4.28	17	Townhomes
Lot 10C	24	10	1.14	Condos	8	-	1.71	10	Townhomes
Lot 10D	21	8	0.83	Condos	-	-	-	-	
Lot 10E	43	17	1.95	Condos	36	17	2.03	1	Condos
Lot 10G	-	-	-		10	-	8.38	12	Single-Family
Lot X-2	-	-	-		-	-	1.00	1	Open Space
Lot X-3	-	-	-		-	-	1.00	1	Open Space
Lot X-4	-	-	-		-	-	0.20	1	Open Space
Lot 10 Total	110	35	10.76		110	32	21.34	46	
TOTAL	576	200	40.63		446	147	47.52	81	
Single-Family	-	-	-		10	-	-	-	
Townhomes	16	-	-		40	-	-	-	
Condos	560	-	-		396	-	-	-	
TOTAL	576				446				
	Employee Housing - Entitled				Employee Housing - Proposed				
Lot 12	32	-	1.92	Apartments	32	-	1.92	1	Apartments
Lot 12 Total	32	-	1.92		32	-	1.92	1	

Key:

1 - As approved by the Planning Commission on January 20, 2009 and the Board of Supervisors on February 11, 2009.

2 - Some of the acreages shown here are inconsistent with the originally approved CUP. The acreages shown here are consistent with the scaled depiction on the originally approved VTM.

Planned Residential Development

The Highlands II project is a Planned Residential Development (PD), which generally results in reduced land coverage to allow for clustered development of residential activity. Sections 17.54.080 through 17.54.110 of the Placer County Zoning Ordinance establish the amount of open space required for PD's proposing the subdivision of land or air space. The project proposes the development of up to 446 residential units on approximately 49.7 acres for an overall density of 8.9 units per acre. Based on the proposed density, the Zoning Code requires that 40 percent of the site be maintained as open space with a maximum building coverage of 28 percent. Overall, the Phase II project area includes 82 percent open space and approximately 18 percent lot coverage. The low lot coverage is attributed to the below-surface parking garages and the more vertical building elevations. While the subterranean parking garages will result in greater excavation, this design solution will reduce the overall footprint, maintain open space and preserve trees to the greatest extent possible.

As mentioned above, Lot 10G is the only single-family residential lot/phase proposed for development within Northstar Highlands II. Staff has determined that the modified Vesting Tentative Subdivision Map submitted with the application (Attachment A) that includes a ten-lot subdivision

meets the intent of the PD Ordinance as it includes open space lots as part of its individual development and will utilize a portion of the overall open space provided by the approval of the Highlands II project. It is the applicant's desire to have the entire Phase II project be approved as a Planned Residential Development with the development standards established in the Conditions of Approval (i.e. reduced structural setbacks, increased height standards). In order to ensure that the Modified Highlands II project complies with the PD Ordinance throughout its buildout, staff recommends the following condition:

Prior to approval of any Final Map for future development of lots/phases within the Highlands II project area, the applicant shall provide, for review and approval of the Development Review Committee, a Planned Development worksheet, consistent with the Planned Residential Development Ordinance.

Staff has concluded that, with the above-mentioned Condition, the proposed Highlands II Modification would comply with the County's Density and Development Standards in all phases.

Section 17.54.100 of the Placer County Code allows Planned Residential Development projects to establish their own setback and height standards. This project proposes setbacks as prescribed on the site development plans as a five-foot setback from all property lines, except for driveway portions (where 20 feet would be required) and height standards of 70 – 110 feet maximum for condominiums, 45 feet maximum for townhomes and 36 feet maximum for single-family residences. Section 17.54.100.B of the Zoning Ordinance permits additional height within the RM and RES zone districts when the additional height is specifically permitted by the conditional use permit. Staff has concluded that due to the project's remote location and proximity to other tall buildings, the additional height allowance would not be inconsistent with the project's surroundings.

Initial Study

The approved Highlands Phase II project relied on an Initial Study to determine that all potential environmental impacts had been analyzed and that the project would not result in new impacts above those anticipated and mitigated in the Northstar Highlands EIR (SCH #2003-012086).

The Northstar Highlands EIR evaluated all applicable environmental impacts associated with the approved project. The analysis concluded that there are six Program level impacts and eight cumulative impacts that are significant and unavoidable, including:

- Short-term Air Quality Construction Related Impacts
- Long-Term Regional Emissions
- Alteration of Scenic Views
- Alteration of Visual Character/Tree Removal
- Noise-Related Impacts
- Conversion of Timber/Forest Resources
- Traffic Levels of Service
- Traffic Noise
- Impacts on Regional Air Quality
- Habitat Fragmentation/Wildlife Resource Impacts
- Cumulative Visual Impacts
- Cumulative Traffic Impacts

Statements of Overriding Consideration were adopted by the Planning Commission with the certification of the Northstar Highlands EIR in 2005. Impacts associated with the approved project have been found to be within the thresholds identified in the 2005 analysis.

In similar fashion, an Initial Study has been prepared for the Highlands Phase II Modification, which also relies on the Northstar Highlands EIR. In addition, the Initial Study considered all potential

environmental impacts and analyzed the impacts through a comparison with the previously approved Tentative Subdivision Map and Conditional Use Permit. Because the approved project can be developed at any time, without further entitlement or environmental review, the resultant environmental setting is considered a baseline by which to evaluate environmental impacts that could result from the proposed Highlands Phase II Modification.

The Initial Study found that, in general terms, the overall reduction in residential density results in a project with reduced demand for on-site parking, as well as a reduction in project-generated traffic below that analyzed for the approved project. In addition, fewer residents equates to a decrease in demand for public utilities and public services. The combined effect of fewer vehicle miles traveled and reduced demand for utilities and services is an overall reduction in air quality impacts, greenhouse gas emissions and use of water resources.

The Initial Study concludes that the Mitigation Monitoring and Reporting Program would sufficiently mitigate all potential impacts of the Highlands Phase II Modification to less than significant levels.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Accept the Initial Study, as set forth in Attachment C, that relies on the previously certified Northstar Highlands Master Plan EIR (SCH No. 2003-012086) as the appropriate environmental document for this project pursuant to Sections 15063(b)(1)(B) (Initial Study), and approve the Mitigation Monitoring and Reporting Program as set forth in Attachment E, subject to the CEQA Findings contained in Attachment D.
2. Approve the Modification to the Vesting Tentative Subdivision Map and Conditional Use Permit subject to the following findings and modified Conditions of Approval set forth in Attachment B.
3. Approve the Extension of Time to add two years to the expiration date of the Vesting Tentative Subdivision Map.

FINDINGS:

CEQA Findings

The Planning Commission, having considered the Initial Study to the previously certified EIR, set forth in Attachment C, the staff report and comments thereto, hereby adopts the California Environmental Quality Act Findings, as set forth in Attachment D, and finds that all environmental impacts associated with this Phase II project were adequately addressed in the previously certified EIR for the Northstar Highlands Master Plan, and the implementation of the applicable mitigation measures identified in the certified EIR will reduce all identified impacts to less than significant levels.

Vesting Tentative Subdivision Map Modification Findings:

1. The Vesting Tentative Subdivision Map Modification, as set forth in Attachment A, is consistent with the programs and policies set forth in the Placer County General Plan and the Martis Valley Community Plan.
2. The design or improvement of the proposed subdivision modification is consistent with the Placer County General Plan and the Martis Valley Community Plan.
3. The project site is physically suitable for the type and density of development proposed.

4. The design of the subdivision modification and the proposed improvement are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitats. An Environmental Impact Report for the Northstar Highlands Master Plan was certified by the Planning Commission in 2005, and the environmental analysis prepared for this Phase II project concluded that all identified impacts were adequately addressed in the certified EIR. There are no environmental impacts associated with this Phase II project that were not previously considered in the certified EIR.
5. The design of the subdivision modification or type of improvements is not likely to cause serious public health problems. An Environmental Impact Report for the Northstar Highlands Master Plan was certified by the Planning Commission in 2005, and the environmental analysis prepared for this Phase II project concluded that all identified impacts were adequately addressed in the certified EIR. There are no environmental impacts associated with this Phase II project that were not previously considered in the certified EIR.
6. The design of the subdivision modification or the type of improvements will not conflict with easements, acquired by the public at-large, for access through or use of, property within the proposed subdivision. Public roadways have been constructed to provide public vehicular access to the project site, and this proposed project does not propose to modify any of the public or private easements established with the 2005 approval, including no modifications to the emergency vehicle accessway connecting Highlands View Road and Big Springs Drive.

Conditional Use Permit Modification Findings:

1. The proposed modified project and associated land uses are consistent with all applicable provisions of the Placer County Zoning Ordinance and all applicable provisions of other chapters of the Placer Code. Through the use of the Planned Residential Development provisions (Section 17.52.120 of the Placer County Zoning Ordinance), the applicant has designed the proposed modified project to maximize the amount of open space retained within the boundaries of the project, while limiting the amount of land disturbance associated with the proposed land uses.
2. The proposed modified project and associated land uses are consistent with the applicable policies and requirements of the Placer County General Plan and the Martis Valley Community Plan, and any specific findings required by any of these plans are made through this approval.
3. The establishment, maintenance or operation of the proposed uses will not, under the circumstances of this particular project, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the area of the proposed modified project, or be detrimental or injurious to property or improvements in the surrounding vicinity or to the general welfare of the County. With the approval of the original Northstar Highlands Master Plan EIR, the Planning Commission adopted Statements of Overriding Consideration for certain identified impacts, and the impacts associated with this proposed Phase II project are within the parameters established with the certification of the Northstar Highlands Master Plan EIR.
4. The proposed modified project and associated land uses will be consistent with the character of the immediate area surrounding the project site and will not be contrary to the orderly development of the area. This modified project is the second phase of the Northstar Highlands Master Plan, and the modified project is consistent with the previously certified EIR for the Northstar Highlands Master Plan project.

5. The proposed modified project and associated land uses will not generate a volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the project. All roadways have been designed to County standards, and the roadways associated with this Phase II were analyzed in the traffic analysis prepared for the previously certified Northstar Highlands Master Plan EIR.
6. For the TPZ zoning districts in the project area, the establishment, maintenance and operation of the proposed modified project and associated land uses will not significantly distract from the use of property, or inhibit the growing and harvesting of timber.
7. As required by Section 18.16.040 (Environmental Review) of the Placer County Code, the Final Environmental Impact Report certified by the Planning Commission in 2005 for the Northstar Highlands Master Plan has:
 - a. Eliminated or substantially lessened all of the significant effects on the environment, where feasible (as defined and used in Section 21061.1 of the California Public Resources Code); and
 - b. Determined that any remaining unavoidable significant effects on the environment are acceptable due to specified overriding considerations.

Planned Residential Development Modification Findings

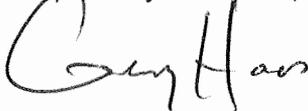
1. The proposed modified project is consistent with the Placer County General Plan and the Martis Valley Community Plan, and the proposed project is consistent with the general land use districts on the project site and the characteristics of the project area. The proposed project is compatible with adjacent properties and their existing/allowed land uses, including the minimum lot sizes proposed.
2. The proposed modified project is consistent with the purposes of Planned Residential Development as specified in Section 17.54.080 (Planned Residential Developments) of the Placer County Code in that the project has been designed in a manner to:
 - a. Reduce the land area dedicated to residential land uses;
 - b. Protect environmentally sensitive areas;
 - c. Preserve natural cultural and historical resources
 - d. Conserve visual and aesthetic resources;
 - e. Maintain the project area's existing quality of life;
 - f. Provide for an increasing variety of housing types, including employee housing;
 - g. Efficiently utilize the land area dedicated to development; and
 - h. Effectively develop and utilize public facilities and services.
3. Any variance from otherwise applicable zoning and subdivision regulations is warranted and in the public interest as the resulting project design allows for a more compact form which results in increased areas dedicated to open space uses.
4. The proposed modified project exceeds the minimum open space requirement (82 percent open space is provided where only 40 percent is required) and provides a reduction in the building coverage (18 percent is provided where up to 28 percent is allowed) over the standards established in the PD regulations. The open space lands provide a mixture of common space, natural space, ski trails and hardscape. A property owners association will be responsible for the maintenance of the common space.

5. The physical design of the proposed modified project promotes a pedestrian-oriented project with a strong connection to the outdoors. Primary vehicular access will be provided to all parking areas, and the resulting design of the project will provide increased light and air due to the open nature of the project.
6. The resort residential character of the proposed modified project is compatible with the balance of the Northstar Highlands Master Plan, as well as all other developments within the Northstar-at-Tahoe project, including the Big Springs residential development.
7. The project has multiple construction phases and is planned to be built out over a nine-year period. As the typical year-round residential occupancy of the Northstar-at-Tahoe community is approximately 10 percent, the everyday exposure of construction activities to permanent residents will be minimal. Consistent with previous approvals, the applicant will maintain a dedicated telephone line to address noise related issues.
8. As detailed in the certified EIR, there are no historical or paleontological resources directly impacted by the project.
9. The applicant is not requesting an increase in density with the proposed project. Through the use of the Planned Residential Development zoning, the mixed-use single-family residential, condominium and townhome project provides a superior design for this location. The project will add up to 446 resort residential units along with 4,000 square feet of new commercial uses.

Extension of Time Findings:

1. No change of conditions or circumstances has occurred that would have been grounds for denying the original application.
2. The applicant has been diligent in pursuing implementation of the permit, but requires additional time to address changes in the housing market following the 2008 recession.
3. Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

Respectfully submitted,



Gerry Haas
Senior Planner

GH:KH

ATTACHMENTS:

- Attachment A – Vesting Tentative Map/Site Plan
- Attachment B – Revised Recommended Conditions of Approval
- Attachment C – Initial Study
- Attachment D – CEQA Findings
- Attachment E – Mitigation Monitoring Program

CC: Applicant – Hayes Parzybok, East West Partners

Phil Frantz – Engineering and Surveying Department
Stephanie Holloway – Department of Public Works
Janelle Heinzler – Special Districts
Justin Hansen – Environmental Health Services
Andy Fisher – Placer County Parks Division
Angel Rinker – Air Pollution Control District
Brad Albertazzi – Placer County Fire/CDF
Karin Schwab – County Counsel's Office
Michael Johnson – C/DRA Director
Paul Thompson – Deputy Planning Director
George Rosasco – Supervising Planner
Subject file